

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JUNE 17, 2015
WORKSHOP TO REVIEW TOWN COUNCIL GOALS – 6:30 P.M.
REGULAR MEETING – 7:00 P.M.

NO NEW BUSINESS SHALL BE TAKEN UP AFTER 10:00 P.M.

- Item 1.** Call to Order.
- Item 2.** Pledge of Allegiance.
- Item 3.** Roll Call.
- Item 4.** General Public Comments.*
- Item 5.** Minutes: June 3, 2015 – Regular Meeting.
- Item 6.** Adjustment to the Agenda.
- Item 7.** Items to be signed: a. Treasurer's Warrants.

***Procedure for Addressing Council** [Posted in Chambers.]

OLD BUSINESS:

Order No. 15-047. Act on the names posted to the various committees/boards at the June 3, 2015, Town Council meeting as recommended by the Appointments Committee.

NEW BUSINESS:

Order No. 15-048. First reading and schedule a public hearing and second reading on the proposed FY2016 School Budget.

Order No. 15-049. First Reading and refer to the Planning Board amendments to Chapter 405 the Scarborough Zoning Ordinance allowing for Food Processing Facilities within the Haigis Parkway Zoning District (HP) and to establish Food Processing Facility Performance Standards.

Order No. 15-050. First Reading and refer to the Planning Board amendments to the Town of Scarborough Official Zoning Map to adjust the boundary of the Haigis Parkway Zoning District (HP).

Order No. 15-051. Act on the request to ratify the collective bargaining agreement between the Town of Scarborough and the Scarborough Police Benevolent Association.

Order No. 15-052. Act on to authorize the Town Manager to accept a donation of 20+/- acres of land located at 305 Highland Avenue from the Maine Turnpike Authority for conservation land and future use for the Eastern Trail.

Order No. 15-053. Act to certify the results of the June 9, 2015, School Budget Validation Referendum.

- Item 8.** Non Action Items.

Item 9. Standing and Special Committee Reports and Liaison Reports.

Item 10. Town Manager Report.

Item 11. Council Member Comments.

Item 12. Adjournment.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JUNE 17, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-047. Move approval on the names posted to the various committees/boards at the June 3, 2015, Town Council meeting as recommended by the Appointments Committee, as follows:

Conservation Commission:

Benjamin Keller as a full voting member with a term to expire in 2017.

Historic Preservation Committee:

Sharman Kivatisky, Craig Frederick, Becky Delaware and Jessica Holbrook as full voting members with a terms to expire in 2017.

Senior Advisory Board:

Bud Hanson as a full voting member with a term to expire in 2016.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JUNE 17, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-048. Move approval of the first reading on the proposed FY2016 School Budget and schedule a public hearing and second reading for Wednesday, June 24, 2015.

Order No. 15-048

Budget Order for Fiscal Year 2016 School Budget

WHEREAS, the Scarborough Town Council adopted FY2016 operational and capital budgets for the Town and the school on May 20, 2015 with the passage of Order No. 15-026; and,

WHEREAS, pursuant to state law, the school budget must be validated by the voters and it failed at a special election held on June 9, 2015; and,

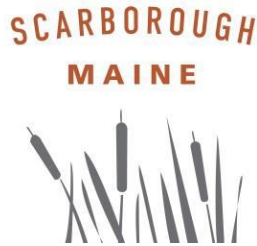
WHEREAS, the Town Council must resubmit an adjusted school budget to the voters for validation no less than ten (10) days and no more than forty-five (45) days from June 9, 2015.

NOW THEREFORE, BE IT ORDERED, that the Scarborough Town Council moves approval of the first reading to adopt the Fiscal Year 2016 Education Budget and **schedule a public hearing for 7:00 p.m. on Wednesday, June 24, 2015, as well as the second reading;** and,

BE IT FURTHER ORDERED, that the Scarborough Town Council hereby appropriates, for school purposes, the Education Operating Budget, the sum of **\$43,793,756** and the Town of Scarborough raises as the local share for the Education Operating Budget, the sum of **\$ 38,794,379**.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JUNE 17, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-049. Move approval of the first Reading and refer to the Planning Board amendments to Chapter 405 the Scarborough Zoning Ordinance allowing for Food Processing Facilities within the Haigis Parkway Zoning District (HP) and to establish Food Processing Facility Performance Standards and schedule a public hearing after the filing of the recommendations by the Planning Board.



To: Town Councilors and Tom Hall, Town Manager
From: Karen Martin, Executive Director of SEDCO and Dan Bacon, Planning Director
CC: Long Range Planning Committee
Date: June 10, 2015

Haigis Parkway Zoning Update Enabling Contemporary Food Processing

Over the past few years the Town Council, in cooperation with the Long Range Planning Committee, have been examining and updating the zoning in the vicinity of the Haigis Parkway to respond to current development trends and the market, while maintaining the goals for this corridor to be a high-quality, high value gateway into the community.

Our last in depth effort occurred in 2012, when we broadened what was allowed in the Haigis Parkway (HP) District to include medical uses; research, development and light industrial uses; health clubs; educational institutions as well as some senior care; assisted living facilities; and similar development. These updates reflected the trend away from office park development that was originally envisioned and to leverage the parkway's location, transportation access and setting.

Since 2012, food production has become an increasingly prominent industry. This has been particularly pronounced in the Portland region, as a wide range of food production and processing sectors are growing and seeking new space, from seafood processing to breweries to high end food products. Further, many contemporary food processors are much cleaner and more hi-tech in their operations than historically, and place a high value on transportation access for logistics.

These dynamics have put Scarborough on the food production map, but under our current zoning food processing is limited to only our Industrial Districts where we already exhibit a lack of available space and development sites. Given this, SEDCO and the Long Range Planning Committee have looked closely at the HP District, and after thorough discussion and input (including a well-rounded focus group), we are recommending allowing for food processing in the southern half of the HP District, subject to performance standards.

More specifically, the zoning proposal is as follows:

- To allow food processing in the portion of the Haigis Parkway corridor closer to Route 1 and away from the Payne Rd end of the parkway where there's existing retail, restaurant, and shopping center development and there's potential for more of that style of development as well as new professional office, business office and hotel type uses.
- To establish performance standards for food processing that match our current standards for research, development and light industrial uses in the HP (which food processing most closely matches) and that expects these facilities to be compatible with adjacent uses and properties. These standards include consistency with the Town's commercial design standards; buffering requirements when necessary; and limitations on noise, odor, emissions and the like.
- To rezone from the General Business District (B3) to the HP District a large parcel of land that is on the eastside of the parkway, which will enable this property to accommodate this use, and the others allowed in the HP District.

We see this zoning proposal to be a reasonable, modest step in allowing for the food processing industry in Scarborough and on the Haigis Parkway, but in a controlled and measured way, expecting these facilities to be attractive, well sited, and compatible within the area.

Thank you.

Proposed Amendment to the Zoning Ordinance Updating the Haigis Parkway (HP) District and Establishing Standards for Food Processing

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following amendment to the Zoning Ordinance of the Town of Scarborough, Maine, be and hereby are adopted:

1. Amend SECTION XVIII.B HAIGIS PARKWAY DISTRICT (HP), Subsection B. PERMITTED USES, CONVENTIONAL AND PLANNED DEVELOPMENTS, NON-RESIDENTIAL USES to add the following (additions are underlined; deletions are struck through):

25. Food processing facilities, subject to the performance standards of Section IX.(M.2.)

2. Amend SECTION IX. PERFORMANCE STANDARDS by adding a new performance standard subsection M.2. as follows (additions are underlined; deletions are struck through):

M.2. PERFORMANCE STANDARDS – FOOD PROCESSING FACILITIES IN THE HAIGIS PARKWAY DISTRICT

Food processing facilities permitted in the HP District may be undertaken only after the Planning Board has reviewed and approved the use in accordance with the Site Plan Review Ordinance and has found that the proposed use will conform to the following performance standards and locational requirements:

1. The food processing facility shall be located within two thousand two hundred fifty (2250) feet of the point of intersection of the centerlines of Scottow Hill Road and the Haigis Parkway;
2. The food processing facility shall be sited in a location, and designed in a manner, that is compatible with surrounding uses. This may include the need for screening and buffering between the facility and adjacent uses and properties. The buffering and visual screen may include the preservation of natural vegetation, new landscaping, berms or other means to fulfill this standard;
3. The design and external appearance of the food processing facility and site improvements will constitute an attractive and compatible addition to the zoning district and be consistent with the Design Standards for Scarborough's Commercial Districts;
4. The facility will not create any unhealthy or offensive odor, emissions or other airborne discharges;

Dated 6-10-15

5. The facility will not include any outdoor storage of equipment, materials or processing byproduct or waste; and

6. The facility will not create any offensive noise or vibration to abutting landowners.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JUNE 17, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-050. Move approval of the first Reading and refer to the Planning Board amendments to the Town of Scarborough Official Zoning Map to adjust the boundary of the Haigis Parkway Zoning District (HP) and schedule a public hearing after the filing of the recommendations by the Planning Board..

LI
RF

Exit 42

B3

**Proposed Amendment to the Boundaries
of the Haigis Parkway (HP) District on the
Town of Scarborough Official Zoning Map
- Dated 6-10-15**

Payne Rd

CPD

**Haigis Parkway
District (HP)**

HPZ

R2

**Proposed Amendment from
the B3 District to the HP District**

R2

RF

**General Business District
(B3)**

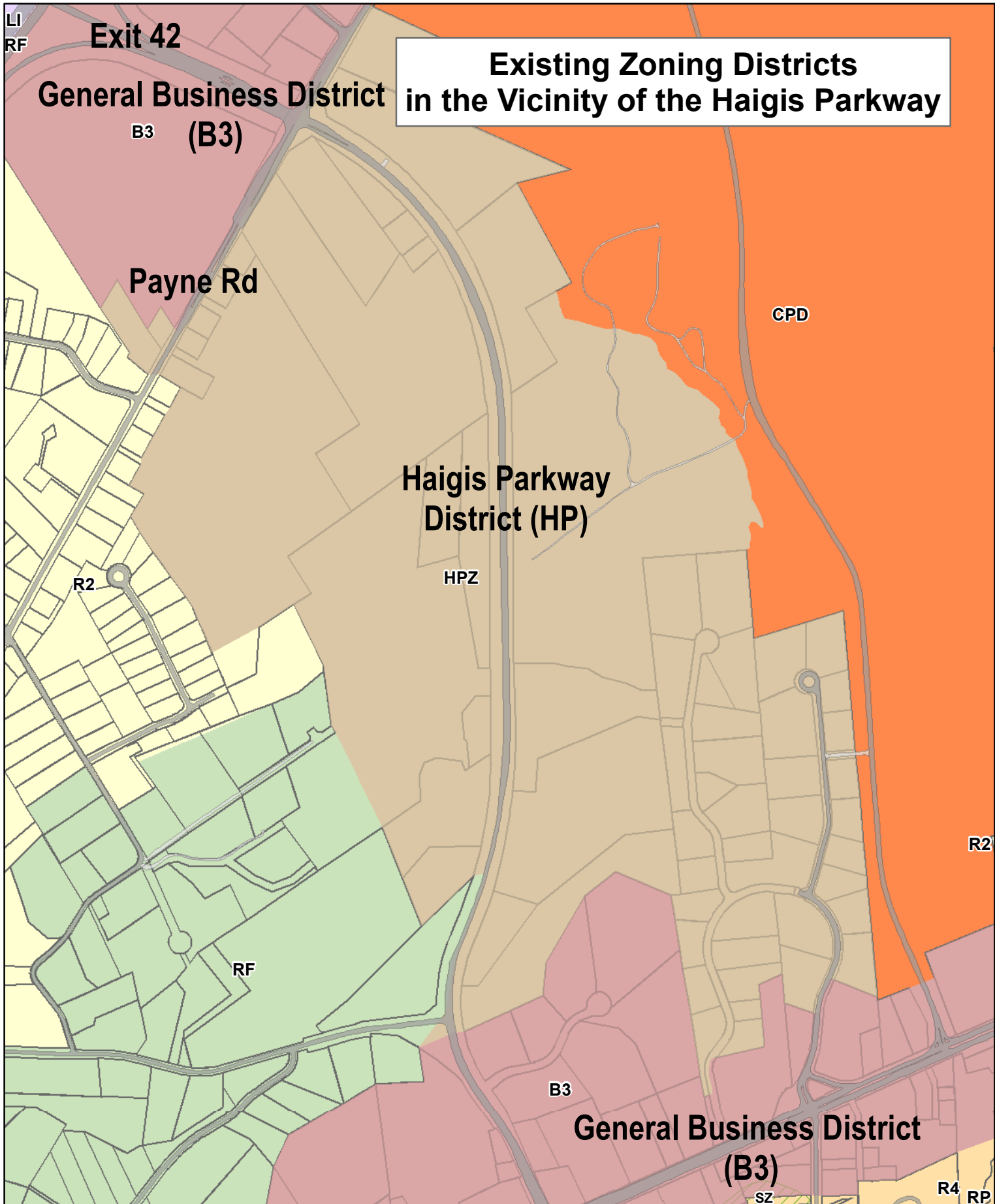
SZ

R4
RP



Scarborough Public Works
20 Washinton Ave
Scarborough, ME 04074

Disclaimer: The data contained within the Scarborough GIS is intended as a public resource of general information. The Town of Scarborough makes no warranty or representation as to the accuracy, timeliness or completeness of any of the data, and shall assume no liability for the data contained, for omissions, or any decision made or action taken or not taken in reliance upon any of the data. Parcel data is intended for general map reference only and is a general representative of approximate lot configuration, and is not intended for boundary determination, legal description, delineation, or transfer. Any service utility information shown is intended for general information only. Other utilities may be present, and the appropriate utility owner should be contacted for detailed information. GIS data is not intended for engineering design. Field verification is recommended.



Scarborough Public Works
20 Washinton Ave
Scarborough, ME 04074

Disclaimer: The data contained within the Scarborough GIS is intended as a public resource of general information. The Town of Scarborough makes no warranty or representation as to the accuracy, timeliness or completeness of any of the data, and shall assume no liability for the data contained, for omissions, or any decision made or action taken or not taken in reliance upon any of the data. Parcel data is intended for general map reference only and is a general representative of approximate lot configuration, and is not intended for boundary determination, legal description, delineation, or transfer. Any service utility information shown is intended for general information only. Other utilities may be present, and the appropriate utility owner should be contacted for detailed information. GIS data is not intended for engineering design. Field verification is recommended.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JUNE 17, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-051. Move approval on the request to ratify the collective bargaining agreement between the Town of Scarborough and the Scarborough Police Benevolent Association.



Town of Scarborough, Maine

259 US ROUTE ONE, PO BOX 360
SCARBOROUGH, MAINE • 04070-0360

INTEROFFICE MEMORANDUM

DATE: June 10, 2015
TO: Thomas J. Hall, Town Manager
Jessica Holbrook, Town Council Chair
FROM: Jaclyn Mandrake, Director of Human Resources
CC: Jean Marie Caterina, Town Council Vice-Chair
Robert Moulton, Police Chief
RE: Collective Bargaining Agreement – Police Unit

I am very pleased to report that the Town has reached a tentative agreement for a three-year contract with the Scarborough Police Benevolent Association bargaining unit. A summary of the substantive proposed changes is attached for your review and approval. The contract is for the period of July 1, 2015 - June 30, 2018.

Throughout the negotiation process, our goals included:

1. Keep the Town Council's budget parameters and goals in mind throughout the negotiation process.
2. Maintain a collaborative and productive relationship with the union.
3. Provide a reasonable cost-of-living adjustment to employees, remaining competitive in the external market. In order to attract and retain high caliber Police Officers, the Town recognizes the need to remain competitive with certain municipalities in the Public Safety field.
4. Seek employee concessions for rising health coverage plan costs and reduce the Town's costs for health coverage.

During negotiations with the union team, we reached tentative agreement on a majority of the items each side brought to the table. A summary of the terms is attached. Funding for this proposal was included and approved in the FY16 municipal budget.

**Summary of Proposed Substantive Changes
Collective Bargaining Agreement
Scarborough Police Benevolent Association**

Article 8 – Medical Insurance: Effective January 1, 2016, eliminate the more costly POS-A health insurance option. Add the higher deductible PPO-500 health insurance.

Article 19 – Wages: The wage package includes the following cost of living (COLA) adjustments:

1. FY16 2.5%
2. FY17 2.5%
3. FY18 2.5%

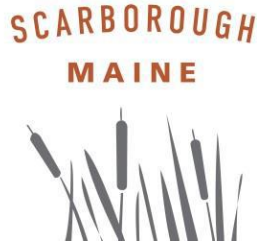
The wage package was negotiated in conjunction with health benefit concessions. In evaluating appropriate wage increases, we reviewed a comprehensive 2013 salary survey conducted by the Maine Municipal Association. The survey included responses from 265 communities and provides a key to job descriptions for law enforcement positions such as Captain, Lieutenant, Sergeant, Detective, and Officer. The survey also provides an analysis of average hourly rate by population size.

Article 25 – Educational Incentive Plan: Discussion: Increase the annual maximum credit hours and add language to clarify the process for allocating educational incentive funds, prioritizing a Bachelor's Degree over a Master's Degree.

Article 26 – Physical Fitness: New physical fitness assessment program to incentive members to improve their physical competency. Members who participate in the test and complete all portions of the test at the minimum described current Cooper Standards, will receive tiered levels of compensation:

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JUNE 17, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-052. Move approval to authorize the Town Manager to accept a donation of 20+/- acres of land located at 305 Highland Avenue from the Maine Turnpike Authority for conservation land and future use for the Eastern Trail.



To: Town Councilors
CC: Tom Hall, Town Manager, Bruce Gullifer, Director of Community Services, and Bill Reichl, Community Services
From: Dan Bacon, Planning Director
Date: June 12, 2015

**Proposed Acceptance of Maine Turnpike Authority Land
Located off Highland Avenue**

In the late 1990's the Maine Turnpike Authority (MTA) acquired approximately 20 acres of land between Highland Avenue and Pleasant Hill Road, and bordering Prouts Pond, to create and then preserve new wetlands as a mitigation project for the wetland impacts associated with a new highway interchange they were building. This project was executed by the MTA and the wetlands that were created have since by monitored for the requisite time period and their permit obligations have been satisfied.

In addition to the wetlands that were created on the parcel, two trails were established that are designed to enable public access and use, but have not been developed or maintained in a way that is welcoming to users.

Over the past five or more years, that Town, the Eastern Trail Management District, and the City of South Portland have been working diligently to establish an alignment and design for the Eastern Trail through this general area to help close the 1.6 mile gap in the trail that exists between the Wainwright Fields in South Portland and the Nonesuch River crossing in Scarborough. The 20 acre MTA parcel and trail system is located in the middle of this future trail corridor.

Given this, and also given the MTA has completed its regulator obligations for the wetlands, they are interested in conveying this land to the Town so that it can become part of our conservation landholdings and so that the Town can control, improve, and maintain the trail system on the parcel as part of the Eastern Trail corridor and for general public access, use and recreation. This conveyance would be a donation from the MTA.

Thank you for your consideration.

Date:1/13/2015

Username:

Division: HIGHWAY

Filename: 202Plan10Aerial.dgn



DRAFT
PRELIMINARY PLANS
JANUARY 14, 2015

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
—
WIN 019426.00
HIGHWAY PLANS

PROJ. MANAGER	D. BACON	BY	DATE	SIGNATURE
DESIGN DETAILER	BMI	BMI	12/14	
CHECKED/REVIEWED	CAB		12/14	
DESIGN DETAILER				
REVISIONS 1				
REVISIONS 2				
REVISIONS 3				
REVISIONS 4				
FIELD CHANGES				

SCARBOROUGH EASTERN TRAIL
TRAIL PLAN 10

SHEET NUMBER
202
OF 19

Date: 1/13/2015

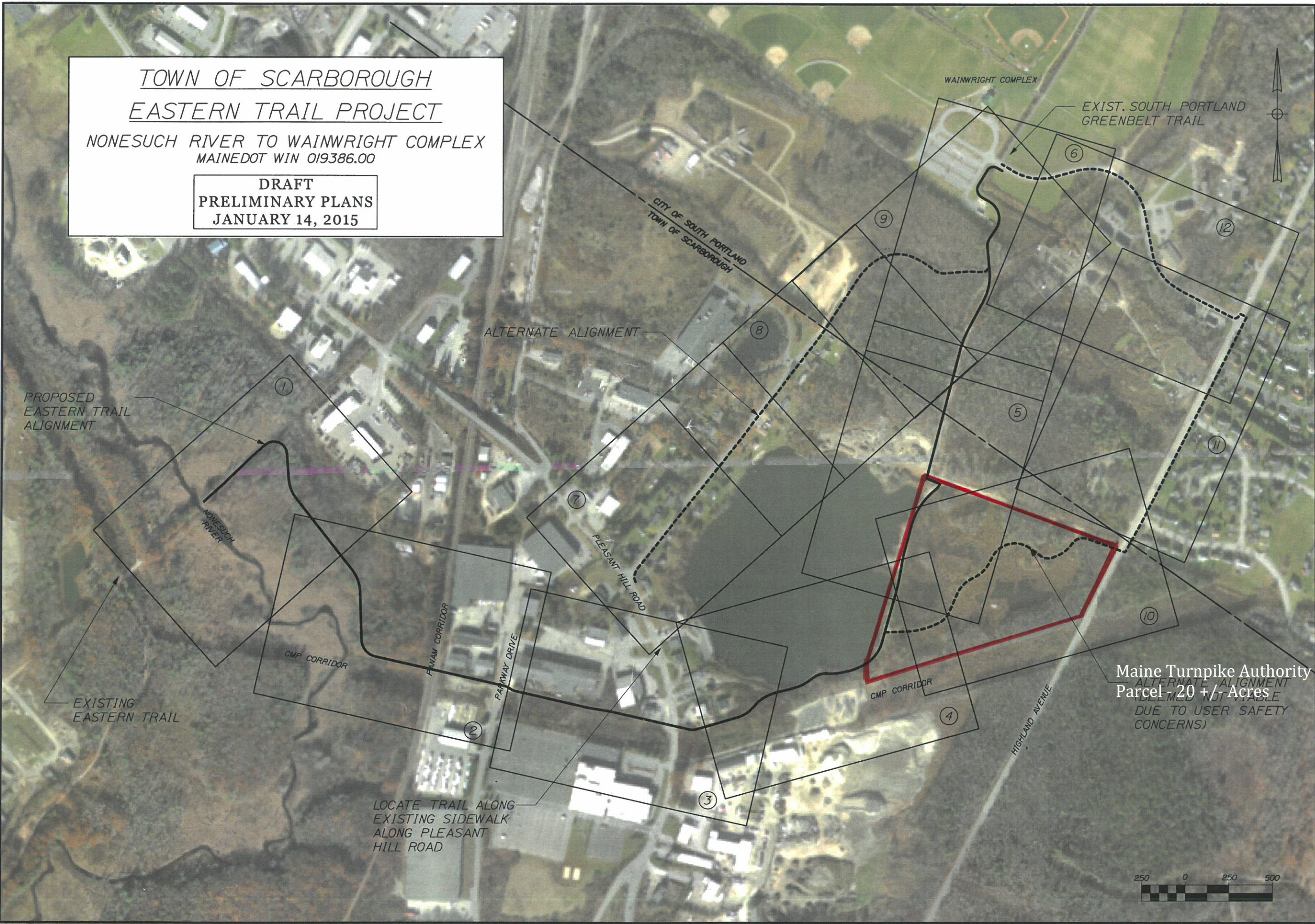
Username:

Division: HIGHWAY

Filename: 001OverallPlan.dgn

TOWN OF SCARBOROUGH
EASTERN TRAIL PROJECT
NONESUCH RIVER TO WAINWRIGHT COMPLEX
MAINEDOT WIN 019386.00

DRAFT
PRELIMINARY PLANS
JANUARY 14, 2015



STATE OF MAINE		DEPARTMENT OF TRANSPORTATION		WIN 019426.00		HIGHWAY PLANS	
TOWN OF SCARBOROUGH		EASTERN TRAIL CONNECTOR		SCARBOROUGH TO SOUTH PORTLAND, MAINE		OVERALL PLAN	
PROJ. MANAGER	D. BACON	DESIGN-DETAILED	BMH	CHECKED-REVIEWED	CAB	SIGNATURE	DATE
DESIGN-DETAILED		DESIGN-DETAILED		DESIGN-DETAILED		P.E. NUMBER	DATE
REVISIONS 1		REVISIONS 2		REVISIONS 3		REVISIONS 4	
FIELD CHANGES							
SHEET NUMBER		1		OF 19			

**AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JUNE 17, 2015
REGULAR MEETING – 7:00 P.M.**

Order No. 15-053. Move approval to certify the results of the June 9, 2015, School Budget Validation Referendum, as follows:

**RESULTS OF THE SCHOOL BUDGET VALIDATION REFERENDUM
TUESDAY – JUNE 9, 2015**

Question 1: Do you favor approving the Scarborough School budget for the upcoming school year that was adopted at the latest Town of Scarborough budget meeting held on May 20, 2015?

YEAS: 1,408

NAYS: 1,719

Non-Binding Question:

Too High: 1,761

Acceptable: 710

Too Low: 619

There are approximately 15,499 active voters on our voter registration list and there were 3,144 voters who cast ballots - 17 ballots were not accepted due to them being blank or they had a distinguishing mark on it.